## REMARKS

In the Official Action of April 3, 2008, Claim 38 was rejected under 35 U.S.C. 112, second paragraph; Claims 31 and 45 were rejected under 35 U.S.C. 102(b) as being anticipated by deHallux; Claims 32–33, 37–38 and 46–47 were rejected on the same reference under 35 U.S.C. 103(a); Claims 34–36, 39 and 48–50 were indicated as allowable if suitably amended; and Claims 40–44 were withdrawn from consideration in view of Applicant's election in response to the Restriction requirement.

The foregoing amendments amend the claims in a manner which, applicant submits, avoids all the above objections and rejections. Favorable reconsideration of the application is therefore respectfully requested in the light of these amendments and the following remarks.

The only reference cited against the previous claims, both under 35 U.S.C. 102 and 35 U.S.C. 103, is deHallux U.S. Patent 4,569,229.

This patent relates to a process for the measurement of stress in a structural element, such as a bolt, by measuring the transit times of reflected acoustic waves (see Claim 1). For example, the artificial reflectors may consist of transverse perforations or bores both in parallel planes, and following an angle in relation to one another (Claim 10).

It is believed the previously presented Claim 31 clearly distinguished over this reference, but nevertheless, the claim has been amended to even more sharply distinguish over this reference. Thus, Claim 31 now clearly defines a method of measuring force applied by a first member to a second member via a connecting body, wherein the connecting body is secured at a first location thereon to the first member and at a second

location thereon, spaced from the first location, to the second member; wherein the two locations in the connecting body define a transmission channel; and wherein the transit time of the acoustical wave is measured through the transmission channel from the first location to the second location to produce a measurement of the force.

Claim 31, particularly as now amended, thus clearly distinguishes the method from that described in the cited reference, since this combination of features is not disclosed nor suggested in the reference.

Claims 32–39 all depend from Claim 31, and are therefore submitted to be patentable with that claim, apart from the further features set forth in the respective dependent claims. It is to be noted that some of the dependent claims were previously indicated as containing allowable subject matter.

It is also to be noted that the recitations in Claim 38 find clear and non–ambiguous antecedents in Claim 32 from which Claim 38 depends, thereby avoiding the objection raised by the Examiner under 35 U.S.C. 112, second paragraph.

Apparatus Claim 45 has been amended in a similar manner as method Claim 32, and is therefore also submitted to be allowable over the cited reference under both 35 U.S.C. 102, as well as under 35 U.S.C. 103.

The remaining claims acted upon by the Examiner, namely Claims 46–50, all depend from Claim 45, and are therefore submitted to be allowable with that claim for the same reasons, apart from the further features set forth in the respective dependent claims.

It is also submitted that Claims 40–44, withdrawn from consideration, are now drawn to the same invention as amended Claims 31–39, merely differing in scope. Accordingly, if a Divisional Application were filed to include withdrawn Claims 40–44,

such a Divisional Application would raise a serious question of "double patenting". It is therefore respectfully requested that the Requirement for Restriction be withdrawn with respect to Claims 40–44, and that those claims also be allowed in the present application since they are clearly allowable over the cited reference for the same reasons as discussed above with respect to method Claims 32–39.

In view of the foregoing, it is believed this application is now in condition for allowance, and an early Notice of Allowance is respectfully requested.

Respectfully submitted,

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